

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 2329 - HB 2406

February 17, 2018

SUMMARY OF BILL: Establishes an additional fine of \$5,000 to be imposed upon conviction of certain offenses concerning elections.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Fines assessed will be collected by the court clerk, remitted to the State Treasurer, and deposited into the Reward Pool Fund, within the state General Fund, created pursuant to Tenn. Code Ann. § 40-8-105.
- According to the Administrative Office of the Courts, since 2013 no convictions for seven of the nine offenses have occurred; however in 2013 there was one conviction for intentionally tampering with or defacing a voting machine, pursuant to Tenn. Code Ann. § 2-19-118, and in 2014 there were nine convictions for assisting a person to vote in an election knowing such person was disqualified from voting, pursuant to Tenn. Code Ann. § 2-19-117.
- Violations of Tenn. Code Ann. § 2-19-117 and § 2-19-118 are Class E felonies, and pursuant to Tenn. Code Ann. § 40-35-111, juries may assess a fine not to exceed \$3,000.
- Based on the Fiscal Review Committee's 2008 study and the Administrative Office of the Courts' 2012 study on collection of court costs, fees, and fines, collection in criminal cases is insignificant. There will not be a significant increase in revenue as a result of the mandatory fine for these offenses.
- Any increased fine revenue to the Reward Pool Fund is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

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